

RULES
OF
GEORGIA DEPARTMENT OF AGRICULTURE
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-1
DEFINITIONS

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40-22-1-.01 Definitions

40-22-1-.01 Definitions

- (1) "Act" means the Georgia Treated Timber Products Act of 1973.
- (2) "Brand" means an identification mark assigned to a processor or dealer and used to mark each treated pole, post or piling, timber or other timber product.
- (3) "Dealer" means any person, firm or corporation who ships into or brings into this State, for sale, any treated timber or timber product treated outside the State.
- (4) "Guaranteed Average Retention" means the retention specified by and determined in accordance with the appropriate AWWA Standard or ICC ES report after treatment at the manufacturing plant. From time to time the Commissioner will establish, subject to hearing, allowances for normal depletion of preservatives from commodities sampled and tested after transport from a treating plant.
- (5) "Lot" means a retort charge for inspection at processing plants. In all other cases it will be that material available at time and place of inspection consisting of a single commodity of a single species, from a single treater, and a single preservative treatment. For the purpose of enforcement, a lot for testing will not include treated timber or timber products which have been installed for use or which have been altered after initial treatment by cutting, sawing or similar modification.
- (6) "Lumber" means sawn wood less than five (5) inches in actual thickness.

(7) "Preservative" means any chemical used in treating wood to retard or prevent deterioration or destruction caused by the action of insects, fungi or bacteria.

(8) "Processor" means any person who treats timber or timber products with preservatives within the State of Georgia.

(9) "Timber" means sawn wood of five (5) inches or more actual thickness.

(10) "Treated Wood" means wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.

(11) "Treater" means any person within the State or outside of the State who treats timber or timber products subject to the provisions of this Act for distribution in the State.

Authority Ga. L. 1973, p. 1418. Administrative History. Original Rule was filed on September 5, 1975; effective September 25, 1975.

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CHAPTER 40-22-2
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40-22-2-.01 Licensing Requirements

Both Processor's and Dealer's Licenses will be renewable July 1, each year. Application forms shall be available from the Commissioner's Office. Renewal forms shall be mailed to all licensees on record at least 30 days prior to the expiration of the current licensing period. Forms shall contain information pertinent to applicant's operation, including, but not limited to:

(a) Processor's License.

1. Name and primary business address of applicant.
2. Address of all treating operations within the State of Georgia, and all treating locations outside the State from which treated timber or timber products will be shipped into Georgia.
3. Types of timber or timber products treated at each location, treatment employed, preservative used and guaranteed average retention per cubic foot.
4. Proposed brand to be used on each product.

(b) Dealer's License.

1. Name and primary business address of applicant.
2. Name and address of all Treaters whose treated timber or timber products are to be distributed in Georgia.
3. Types of timber or timber products treated at each location, the treatment employed, preservative used and the guaranteed average retention per cubic foot.

4. Proposed brand to be used on each product.

5. Attorney-In-Fact.

(c) Exemption.

1. No person shall be required to obtain a dealers license if he ships into or brings into Georgia only those products which have been treated by another licensee and are properly identified by said licensee's brand or mark.

Authority Ga. L. 1973, p. 1418. Administrative History. Original Rule was filed on September 5, 1975; effective September 25, 1975.

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40-22-3-.01 Standards for Preservatives

All preservatives used to treat wood products subject to the Act shall conform to the Preservative “P” Standards of the American Wood Protection Association.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Standards for Preservatives" was filed on September 5, 1975; effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective. May 31, 1993.

40-22-3-.02 Prohibited Preservatives

The use of creosote-petroleum solutions as a preservative in treating timber products to be offered for sale is prohibited and any sale of products treated with such solutions is unlawful.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Prohibited Preservatives" was filed on September 5, 1975; effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18,

1977; effective May 8, 1977. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

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40-22-4-.01 Standards for Treatment

Wood treatment subject to the Act shall be accomplished, at a minimum, in compliance with the American Wood Protection Association Standard "T1".

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Standards for Treatment" was tiled on September 5, 1975, effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

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40-22-5-.01 Standards for Results

Treated wood products subject to the Act shall meet the penetration and retention requirements of the American Wood Protection Association Standard “U1” for the applicable product, preservative, species, and end use. Penetration and Retention shall be determined using appropriate methods specified in the applicable AWP standard.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Standards for Results" was filed on September 5, 1975; effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

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CHAPTER 40-22-6
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40-22-6-.01 Identification of Treated Timber Products

All treated wood products subject to this act and offered for sale in the State shall be clearly identified with the information specified within this chapter. All identification labels, marks or brands shall be approved and registered by the Commissioner prior to use on treated timber products destined for use or sale in the State.

(a) Treated timber products may be identified using any one of the following methods, provided the one used is clearly legible:

1. Burn Brand;
2. Metal nail or tag;
3. Plastic nail or tag;
4. Ink stamp.

(b) All wood products treated with oil-borne or water-borne preservatives shall be identified as specified in this chapter, except that treated wood products less than 5/4" in nominal thickness or 2" x 2" in nominal dimension shall have not less than twenty (20) percent of the pieces in each shipment marked.

1. The identifying information on treated wood products complying with the standards for preservatives, treatment and results established by these rules shall include:

- Identity of the treating plant

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- The registered mark of an inspection agency accredited by the American Lumber Standards Committee for the inspection of treated wood
- AWP standard (e.g. U1)
- Preservative designation (e.g. CCA, CA-B, ACQ-D, etc.)
- Preservative retention
- Intended end use (e.g. Ground Contact)
- AWP Use Category (e.g. UC4A)

Such information shall be legible to the average reader and applied with reasonable permanency.

2. The identifying information on treated wood products not qualified to be marked in accordance with section (b)1 shall include:

- Identity of the treating plant
- The IAS accredited inspection agency name and evaluation report number.
- The ICC Evaluation Service evaluation report number for the treated wood product
- Preservative designation (e.g. CCA, CA-B, ACQ-D, etc.)
- Preservative retention
- Intended end use (e.g. Ground Contact)

(c) Treated wood products not qualified to be identified in accordance with sections (b)1 or (b)2 shall be identified in accordance with this section.

1. Treated wood products intended for use in any outside applications shall have each piece tagged exactly as indicated below:

This product has been treated with EPA registered wood preservatives but is not intended nor represented to conform to the requirements of the Georgia Treated Timber Products Act nor to be adequately treated for protection against fungal decay or termite attack. **NOT FOR USE IN STRUCTURAL APPLICATIONS OR WHERE BUILDING CODES REQUIRE TREATED WOOD.**

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2. Treated wood products intended for interior, above ground, structural or non-structural applications, or for exterior trim and finish, where the use of treated wood is not required by model building codes shall have each piece tagged exactly as indicated below:

This product has been treated with EPA registered wood preservatives but is not intended nor represented to conform to the requirements of the Georgia Treated Timber Products Act. **USE ONLY FOR ABOVE GROUND APPLICATIONS WHERE BUILDING CODES DO NOT REQUIRE PRESSURE TREATED WOOD.**

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Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule was filed on September 5, 1975; effective September 25, 1975. Amended: Filed April 18, 1977; effective May 8, 1977. Repealed: New Rule entitled "Identification of Treated Timber Products" adopted. F. May 11, 1993; effective May 31, 1993.

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40-22-7-.01 Shipping Documents

Every shipment of wood products treated with preservative and made from a processor or dealer to any point within the State of Georgia shall be accompanied by a delivery invoice or other shipping document. Such document shall contain, in addition to other information required by the purchaser, sufficient information to properly identify the product and its treatment, including but not limited to:

- Identity of the treating plant
- Type of treatment (pressure, spray, dip, etc.)
- Preservative designation (e.g. CCA, CA-B, ACQ-D, etc.)
- Guaranteed average retention per cubic foot, unless treated in accordance with 40-22-6-.01 (c), in which case no guaranteed average retention is required
- The AWWA standard or ICC ES report number with which the treated material was treated, unless treated in accordance with 40-22-6-.01 (c), in which case no AWWA standard or ICC ES report is required

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule was filed on September 5, 1975; effective September 25, 1975. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

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40-22-8-.01 Inspection and Sampling

All inspection and sampling shall be performed only by a regular employee of the Georgia Department of Agriculture or another person designated by the Commissioner to perform these functions. All wood products shall be sampled in accordance with sampling procedures specified in the Standards of the American Wood Protection Association.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Inspection and Sampling" was filed on September 5, 1975; effective September 25, 1975. Amended. Rule repealed and a new Rule of the same title adopted. Filed April 18,

1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

40-22-8-.02 Analysis and Examination of Samples

Examination and analysis of samples shall be made in accordance with standard methods of analysis of the American Wood Protection Association.

Nothing in this chapter shall prohibit the Commissioner from using such other methods of analysis as he may determine to be equivalent to those of the American Wood-Preservers' Association. Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Analysis and Examination of Samples" was filed on September 5, 1975; effective September 25, 1975.

Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

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40-22-9-.01 Definitions.

"Dimension Lumber" means lumber that is at least two inches in nominal thickness and up to but not including five inches in nominal thickness and two inches or more in width. This includes any:

2 × (2, 3, 4, 5, 6, 8, etc.)

3 × (3, 4, 5, 6, 8 etc.)

4 × (4, 5, 6, 8, etc.)

It does not include any lumber five inches or more in nominal thickness.

Authority O.C.G.A. Sec. [2-14-120](#). History. Original Rule entitled "Definitions" adopted. F. Jan. 24, 1991; effective. Feb. 13, 1991.

40-22-9-.02 Grading Standards

All dimension lumber stamped to designate its grade must be inspected and grade stamped only by an agency currently licensed by the American Lumber Standards Committee, or by an organization participating in a bonafide grade stamping supervisory program administered by any such agency. No grade stamp shall be applied to such dimension lumber other than one

approved for the Agency by the American Lumber Standards Committee.

Authority O.C.G.A. Sec. [2-14-121](#). History. Original Rule entitled "Grading Standards" adopted. F. Jan. 24, 1991; effective Feb. 13, 1991.

40-22-9-.03 Enforcement

Any dimension lumber which the Commissioner finds being offered for sale in Georgia which bears any grade stamp, other than one which at the time it was affixed was assigned to an inspection agency licensed by the American Lumber Standards Committee, shall be placed under Stop Sale Order by the Commissioner or his agent until such dimension lumber is grade stamped in compliance with Georgia Law. In order for any dimension lumber to be brought into compliance with O.C.G.A. [2-14-121](#), any non-approved grade stamp affixed thereto must be obliterated or otherwise rendered illegible. Such dimension lumber may then be sold as ungraded lumber or may be inspected, graded, and stamped by an inspection agency currently licensed by the American Lumber Standards Committee. No dimension lumber subject to a Stop Sale Order shall be moved or otherwise disposed of without the written consent of the Commissioner of Agriculture.

Authority O.C.G.A. Sec. [2-14-122](#). History. Original Rule entitled "Enforcement" adopted. F. Jan. 24, 1991; effective Feb. 13, 1991.